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In re Application of  
Bakke et al.  
Application No.: 09/373795  
Filing or 371(c) Date: 08/13/1999  
Attorney Docket Number:  
98-127-NSC

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**JUN 12 2008**

**OFFICE OF PETITIONS**

**ON PETITION**

This is a decision on the "Petition to Withdraw Holding of Abandonment Based on Failure to Receive Office Action," filed March 18, 2008. The petition is properly treated under 37CFR 1.181.

This Petition is hereby **granted**.


The above-identified application became abandoned for failure to timely and properly reply to the non-final Office action, mailed January 10, 2007. The Office action set a three (3) month period for reply. No response having been received, the application became abandoned on April 11, 2007. The mailing of this Decision precedes the mailing of a Notice of Abandonment.

With the instant petition, Applicant has demonstrated non-receipt of the Office Action by a preponderance of the evidence.

The holding of abandonment is hereby withdrawn. No petition fee has been charged and none is due.

The application will be referred to Technology Center Art Unit 2166 for re-mailing of the Office action and for re-setting the period for reply.

Telephone inquiries concerning this Decision should be directed to the undersigned at (571) 272-3232.

  
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